

REMARKS

In the Office action, claim 30 was indicated as containing allowable subject matter. In the present amendment, claim 30 has been rewritten in independent format and is therefore considered to be allowable. New claims 47-65, which depend from allowable claim 30 and provide several of the features originally set forth in dependent claims 2-12 and 14-28, have been added. Insofar as claim 30 has been placed in a condition which the Examiner has previously indicated as being allowable, it is submitted that new claims 47-65 are likewise allowable. Notice to that effect is respectfully requested. In light of this fact, claims 30 and 47-65 will not be discussed further hereinafter.

Of the remaining claims, claims 1, 5, and 8 have been amended, claims 3, 4, 6, 7, and 12 have been cancelled, and claims 66-69 have been added. Accordingly, claims 1, 2, 5, 8-11, 14-20, 22-28, and 66-69 are presented for examination and will be discussed hereinafter.

With reference to claim 1, the present invention is directed toward a cart for transporting objects. The cart includes, in relevant part, a housing, a tongue, and an actuator. The housing is mounted to a base structure and at least partially defines an interior channel. The housing extends in a longitudinal direction of the cart and is disposed midway along a width of the cart. The tongue is elongated and includes an inner end and an outer end. The inner end is continuously disposed in the channel; the outer end is adapted for connection to another cart. The tongue is movable between a retracted position, wherein a majority of the tongue is disposed inside the channel, and

an extended position, wherein a majority of the tongue is disposed outside the channel.

The actuator has a proximal end and a distal end. The actuator proximal end is received in the housing and connected to the elongated tongue inner end while the actuator distal end is disposed laterally outward from the housing and the base structure so as to be at a position that is accessible for an operator on a first side of the base structure. As so positioned, the actuator distal end is engaged and manipulated by the operator to move the tongue between the retracted and extended positions. As will be apparent from the following discussion, the references cited by the Examiner, either alone or in combination, fail to disclose or suggest the features of claim 1.

Claims 1-12 stand rejected as being unpatentable over US 4887836 to Simjian in view of US 5249823 to McCoy. The Examiner's rejections are traversed for the following reasons.

In the Office action, the Examiner has indicated that Simjian fails to teach that the actuator has a distal end that is disposed laterally outward from the housing, and has cited McCoy as teaching this feature. The portion of McCoy that the Examiner cited as being the 'actuator distal end' is a portion of the handle – specifically a handle that is disposed at an end of the 'tongue'. Even though it is considered apparent that the distal end of the tongue cannot be read on the 'actuator distal end', applicant has amended the actuator as defined in claim 1 so as to more clearly distinguish the present invention from the cited art and thereby advance prosecution. The Examiner's consideration of amended claim 1 is requested.

More specifically, the actuator of claim 1 is defined as:

an actuator, said actuator having a proximal end and a distal end,

said actuator proximal end being received in the housing and connected to the elongated tongue inner end, said actuator distal end being disposed laterally outward from the housing and the base structure so as to be at a position that is accessible for an operator on said first side of said base structure

As so defined, the actuator proximal end is disposed within the housing and connected to the elongated tongue inner end while the actuator distal end is disposed laterally outward from the housing and is positioned for access by the user on the first side of the base structure – laterally outward from the base structure. Neither Simjian nor McCoy provides such an actuator. The Examiner has already acknowledged that Simjian fails to provide an "actuator distal end". The McCoy 'actuator distal end' is the handle 116 extending transverse to the tongue distal end. Therefore, it is considered apparent that the McCoy handle 116 is not "*disposed laterally outward from the housing and the base structure* so as to be at a position that is accessible for an operator on said first side of said base structure" (emphasis added), as required. Rather, the McCoy handle 116 is disposed *longitudinally* outward from the housing and base structure, and is not at all accessible to an operator on *the first side of the base structure*.

Accordingly, since neither of the references provides the 'actuator' as defined in claim 1, even if the references were combined, the invention defined in claim 1 would not result. Thus, it is submitted that the Examiner does not have a *prima facie* case of obviousness against claim 1. For this reason alone, claim 1, and the claims that depend therefrom, should be allowed.

In this regard it is noted that allowable claim 1 is generic to all of the disclosed

species of the present invention and, accordingly, consideration of the previously withdrawn dependent claims is now in order, and is hereby requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. HON-15052.

Respectfully submitted,

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